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4 BILL NO. Z-76-09-14

5 ZONING MAP ORDINANCE NO. Z-14-76  
6 AN ORDINANCE amending the City  
7 of Fort Wayne Zoning Map No. B-7.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY  
9 OF FORT WAYNE, INDIANA:

10 SECTION 1. That the area described as follows is  
11 hereby designated a B1B District under the terms of Chapter 36,  
12 Municipal Code of the City of Fort Wayne, Indiana, 1946, as  
13 amended by General Ordinance No. 2836 and amendments thereof;  
14 and the symbols of the City of Fort Wayne Zoning Map No. B-7,  
15 referred to therein, established by Section 9, Article III  
16 of said Chapter as amended, are hereby changed accordingly,  
17 to-wit:

18 Lots Numbered 4, 5 and 6 in Lawton Place Addition  
19 to the City of Fort Wayne, Indiana, and Part of  
20 Lot Numbered 1 in Well's pre-emption in Township 31  
North, Range 12 East, Allen County, State of Indiana,  
by metes and bounds described as follows, to-wit:

21 Beginning on the East line of Spy Run Avenue in the  
22 City of Fort Wayne, at a point situated 100 feet  
23 South of the Southwest corner of Lot No. 1 in  
24 Freeman's Amended Addition to said City of Fort  
25 Wayne as recorded; thence East and parallel to the  
26 South line of said Freeman's Amended Addition a  
27 distance of 140 feet; thence South and parallel  
28 to the aforesaid East line of Spy Run Avenue a  
distance of 80.8 feet to the North line of Lawton  
Place Amended Addition to the City of Fort Wayne;  
thence West along the said North line of Lawton  
Place Amended Addition a distance of 140 feet to the  
aforesaid East line of Spy Run Avenue; thence North  
along said line a distance of 80.8 feet to the  
place of beginning.

29 SECTION 2. This Ordinance shall be in full force and  
30 effect from and after its passage, approval by the Mayor and  
31 legal publication thereof.

32  
33  
34 APPROVED AS TO FORM  
35 AND LEGALITY.

  
Councilman

  
CITY ATTORNEY

Read the first time in full and in motion by Moses, seconded by Hunter, and duly adopted: read the second time by title and referred to the Committee on Reg. Actions (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date:

7-13-76

Charles W. Welterman  
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hunter, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>8</u>	<u>0</u>		<u>1</u>	
BURNS	✓				
HINGA	✓				
HUNTER	✓				
MOSES	✓				
NUCKOLS	✓				
SCHMIDT, D.	✓				
SCHMIDT, V.	✓				
STIER				<u>A</u>	
TALARICO	✓				

DATE:

9-28-76

Charles W. Welterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 3-14-76 on the 28th day of Sept., 1976.

ATTEST:

(SEAL)

Charles W. Welterman  
CITY CLERK

James S. Stier  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of Sept., 1976, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Welterman  
CITY CLERK

Approved and signed by me this 1st day of October, 1976, at the hour of 8:00 o'clock A. M., E.S.T.

Robert E. Armstrong  
12702

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 13, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-07-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

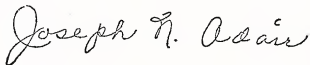
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 20, 1976;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held September 27, 1976.

Certified and signed this  
28th day of September, 1976



---

Joseph N. Adair  
Secretary

Bill No. Z-76-07-14

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. B-7

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

John Nuckols - Chairman

Paul M. Burns - Vice-Chairman

Vivian G. Schmidt

Winfield C. Moses, Jr.

Donald J. Schmidt

*John Nuckols*  
*Paul M. Burns*  
*Vivian G. Schmidt*  
*Winfield C. Moses, Jr.*  
*Donald J. Schmidt*

DATE 9-28-76

CONCURRED BY

CHAIRMAN

## RECEIPT

GENERAL FUND

No 074

FT. WAYNE, IND.

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

19

\$

100

DOLLARS

AUTHORIZED SIGNATURE

CR #4984

May 18 76

Bob Haller

Fifty

regarding - Spy Run Ave

Carolyn Brown



## THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING  
division of long range planning and zoning

September 28, 1976

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held September 27, 1976. In addition to the reasons outlined in the resolution the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-76-07-14
2. From "R3" to "B1B"
3. Intended Use: Restaurant
4. Plan Commission Recommendation: DO PASS


This ordinance received a DO PASS recommendation for the following reason:

- a. This request is a compatible use in relation to the immediate area. The high volume of traffic and noise on Spy Run on longer makes this frontage desirable for residential use.

If there are any questions with regard to this ordinance, please feel free to call on us.

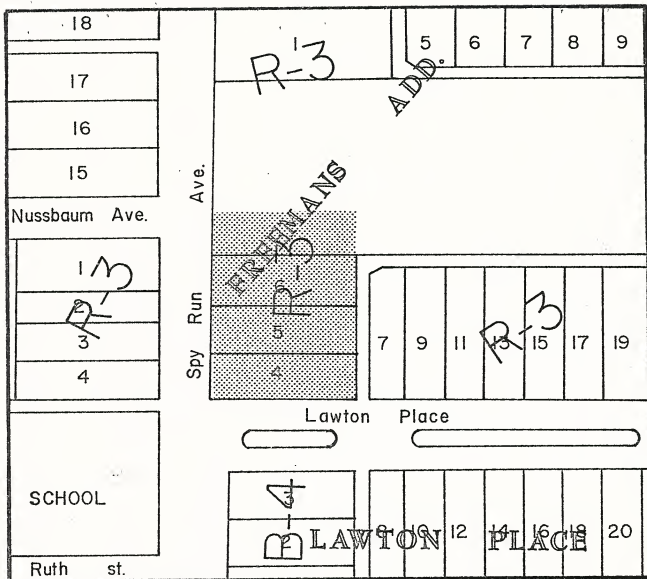
Respectfully submitted,


COMMUNITY DEVELOPMENT AND PLANNING  
Division of Long Range Planning  
and Zoning

  
Gary F. Baeten  
Land Use Administrator

GFB/jg  
ATT.





 To be rezoned from R-3 to B-1-B

B-7  
5-19-76  
L.S.

TO: COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA

Date Filed \_\_\_\_\_

Intended Use \_\_\_\_\_

I/We Paul M. Dormans and Virginia A. Dormans  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-3 District to a/an BLR District the property described as follows:

lots Numbered 4, 5 and 6 in Lawton Place Addition to City of Fort Wayne, Indiana, and Part of Lot Numbered 1 in Well's pre-emption in Township 31 North, Range 12 East, Allen County, State of Indiana, by metes and bounds described as follows, to-wit: Beginning on the East line of Spy Run Avenue in the City of Fort Wayne, at a point situated 100 feet South of the Southwest corner of Lot No. 1 in Freeman's Amended Addition to said City of Fort Wayne as recorded; thence East and parallel to the South line of said Freeman's Amended Addition a distance of 140 feet; thence South and parallel to the aforesaid East line of Spy Run Avenue a distance of 80.8 feet to the North line of Lawton Place Amended Addition to the City of Fort Wayne; thence West along the said North line of Lawton Place Amended Addition a distance of 140 feet to the aforesaid East line of Spy Run Avenue; thence North along said line a distance of 80.8.. feet to the Place of Beginning,

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Paul M. Dormans

1816 Forest Park Blvd.

Fort Wayne, Indiana

Virginia A. Dormans

1816 Forest Park Blvd.

Fort Wayne, Indiana

Paul M. Dormans  
Virginia A. Dormans

(Name)

(Address)

(Signature)

Legal Description Checked By: \_\_\_\_\_

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceeding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Atty. Robert W. Haller  
(Name)

2000 Fort Wayne Bank Bldg.  
Fort Wayne, Indiana 46802  
(Address)

219-742-8235

(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,  
Fort Wayne, Indiana 46802 Telephone Number 423-7571



## DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance3-76-07-14DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSIONSYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the  
following described property:Lots # 4, 5 & 6 in Lawton Place Addition and Part of Lot # 1 in Well's pre-emption  
in Township 31 North, Range 12 East, generally located on the northeast corner  
of Spy Run Avenue and Lawton Place.From "R3" to "BLB"EFFECT OF PASSAGE Property is presently zoned "R3" - Multiple Family  
Residential. Petitioners are requesting a "BLB" District - Limited Business.EFFECT OF NON-PASSAGE Property would remain an "R3"MONEY INVOLVED (Direct Costs, Expenditures, Savings) noneASSIGNED TO COMMITTEE (J.N.) Regulation Jettan



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

October 3, 1976

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of October 6 and October 13, 1976, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana

Bill No. Z-76-07-14  
Zoning Map Ordinance No. Z-14-76

Bill No. X-76-09-26  
Annexation Ordinance No. X-02-76

Bill No. G-76-07-24  
General Ordinance No. G-27-76

Please send us (5) five copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 3

Common Council of Fort Wayne  
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

106

2

108

## COMPUTATION OF CHARGES

108 lines, 1 columns wide equals 108 equivalent lines at .259¢ per line

\$ 27.97

Special charge for notices containing rule or tabular work (50 per cent of above)

for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 29.47

## PRINTING COST

9.9 of single column items

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Provision and penalties of Ch. 89, Acts 1967,

If the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

10/6-13/76

Subscribed and sworn to before me this 13th day of October 1976

My commission expires September 28, 1979

Notice is hereby given that on the 28th day of September, 1976, the Common Council of the City of Fort Wayne, Indiana, in a regular Session did pass the following BILL, No. 2-76-07-14 Z-14-76 Zoning Map Ordinance, to-wit:

BILL NO. 2-76-07-14  
ZONING MAP ORDINANCE

AN ORDINANCE amending the City of Fort Wayne zoning Map No. B-7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 354 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B-7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots Numbered 4, 5 and 6 in Lawton Place Addition to the City of Fort Wayne, Indiana, and Part of Lot Numbered 1 in Well's pre-emption in Township 31 North, Range 12 East, Allen County, State of Indiana, by metes and bounds described as follows, to-wit:

Beginning on the East line of Spy Run Avenue in the City of Fort Wayne, at a point situated 100 feet South of the southwest corner of Lot No. 1 in Freeman's Amended Addition to said City of Fort Wayne as recorded, thence South and parallel to the aforesaid East line of Spy Run Avenue a distance of 80.6 feet to the North line of Lawton Place Amended Addition to the City of Fort Wayne, thence West along the said North line of Lawton Place Amended Addition a distance of 160 feet to the aforesaid East line of Spy Run Avenue; thence North along said line a distance of 80.6 feet to the place of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication hereof.

John Nuckols  
Counclman  
Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:Ayes: Eight Burns, Hinga, Hunter, Moser, Nuckols, D. Schmidt, V. Schmidt, Talavera  
Nays: None  
Absent: One Sier  
Date: 9-28-76Charles W. Westerman  
City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-74-76 on the 28th day of September, 1976.ATTEST (SEAL)  
Charles Westerman James S. Sier  
City Clerk Presiding Officer  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of September, 1976, at the hour of 11:00 o'clock A.M., EST.Charles W. Westerman  
City Clerk  
Approved and signed by me this first day of October, 1976, at the hour of 11:00 o'clock A.M., EST.Robert E. Armstrong  
Mayor  
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-74-76 passed by the Common Council on the 28th day of September, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 1st day of October, 1976 and now remains on file and on record in my office.WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of October, 1976.  
CHARLES W. WESTERMAN  
CITY CLERK

Common Council of Fort Wayne  
(Governmental Unit)To THE NEWS-SENTINEL Dr.Allen County, Ind.FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines \_\_\_\_\_

Head number of lines \_\_\_\_\_

Body number of lines 106

Tail number of lines 2

Total number of lines in notice 108

## COMPUTATION OF CHARGES

108 lines, 1 columns wide equals 108 equivalent lines at 25.94 cents per line \$ 27.97

Additional charge for notices containing rule or tabular work (50 per cent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM \$ 29.47

## DATA FOR COMPUTING COST

Width of single column 9.9 items Size of type 5 1/2 point

Number of insertions 2 Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date October 13, 1976Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

10/6-13/76Subscribed and sworn to before me this 13th day of October, 1976

Notary Public

My commission expires September 28, 1979


CH COPY OF  
ISEMENT HERE

Common Council of Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

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1.50

TOTAL AMOUNT OF CLAIM

\$ 29.47

ING COST

single column items

Size of type 5½ point

insertions 2

Size of quad upon which type is cast 5½

sion and penalties of Ch. 89, Acts 1967,

he foregoing account is just and correct, that the amount claimed is legally due, after allowing all just rt of the same has been paid.

Arvilla De Wald  
Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows: 10/6-13/76

Subscribed and sworn to before me this 13th day of Oct 1979

My commission expires 9/28/79

COPY OF  
MENT HERE

Charles W. Westerman

City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-14-76 on the 28th day of September, 1976.

ATTEST:

(SEAL)

Charles Western James S. Slier

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of September, 1976, at the hour of 11:00 o'clock A.M. EST.

Charles W. Westerman

City Clerk

Approved and signed by me this first day of October, 1976, at the hour of 8:00 o'clock A.M. EST.

Robert E. Armstrong

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-14-76 passed by the Common Council on the 28th day of September, 1976, and that said Ordinance was duly signed and approved by the Mayor on the 1st day of October, 1976 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 29th day of October, 1976.

CHARLES W. WESTERMAN

CITY CLERK

10-6-13



To.....JOURNAL-GAZETTE.....Dr.

FORT WAYNE, INDIANA

**LINE COUNT**

### COMPUTATION OF CHARGES

### DATA FOR COMPUTING COST

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

Asvella De Kald

**Title** \_\_\_\_\_ CLERK

State of Indiana } ss:  
ALLEN County }

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

Subscribed and sworn to before me this 13th day of October 1977

My commission expires ~~XXXXXXXXXX~~ 9/28/79

WITNESSE my hand, and the official seal of the City of Fort Worth, Texas, this 29th day of October, 1976.

CHARLES W. WATSON  
CITY CLERK

14-76 passed by the Council  
on the 28th day of September, 1976,  
and that said Ordinance was duly  
signed and approved by the Mayor on  
the 1st day of October, 1976 and now  
remains on file and on record in my  
office.

WITNESS my hand, and the official  
seal of the City of Fort Wayne, Indi-  
ana, this 29th day of October, 1976.

CHARLES W. WESTERMAN  
CITY CLERK